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Message Text

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60
ORIGIN FBOE-00

INFO OCT-01 NEA-10 ISO-00 A-01 L-03 /015 R

DRAFTED BY A/FBO:CVMORAN:JAW
APPROVED BY A/FBO:OCRALSTON
NEA/EX:MJONES(PHONE)
---------- 039132
P R 132244Z JUN 75
FM SECSTATE WASHDC
TO USINT BAGHDAD PRIORITY
INFO AMEMBASSY BEIRUT

UNCLAS STATE 139254

E.O. 11652: N/A

TAGS: ABLD

SUBJECT:RENTING BASRA CONSULATE, PROPERTY NO. 12432

REF: BAGHDAD

1. USINT AUTHORIZED UNDERTAKE NEGOTIATIONS WITH CARD CONSTRUCTION COMPANY, IN ACCORDANCE WITH PROVISIONS 6 FAM 776 AND 777, FOR LICENSING OF CONSULATE COMPOUND PROPERTY FOR USE AS OFFICE AND HOUSING SPACE FOR COMPANY PERSONNEL DURING IMPLEMENTATION OF BASRA PROJECT.

2. TERMS AND CONDITIONS SHOULD CONFORM WITH LANGUAGE OF MODEL LICENSE AGREEMENT, 6 FAM EXHIBIT 776-B, SUBJECT TO POSSIBLE MODIFICATIONS AS FOLLOWS:

A. TERMINATION NOTICE: PARA 3 MAY BE REVISED TO PROVIDE UP TO 90 DAYS IN VIEW OF APPROXIMATE 3 YEAR EXPECTED DURATION OF LICENSE.

B. AMOUNG OF RENT AND TERMS OF PAYMENT: DEPARTMENT RE-QUIRED TO OBTAIN CURRENT MARKET VALUE FOR ALL LICENSED PROPERTIES. THEREFORE, USINT SHOULD ASCERTAIN PRESENT UNCLASSIFIED

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RENTAL COST FOR COMPARABLE OFFICE AND RESIDENTIAL QUARTERS

AND SUBMIT SUCH DATA, TOGETHER WITH ITS RECOMMENDATION OF SUITABLE RENTAL PAYMENT, TO A/FBO FOR CONSIDERATION.

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RENTAL PAYMENTS SHOULD BE EITHER MONTHLY OR QUARTERLY, AS DESIRED.

C. M AND R COSTS: UNDER LICENSING PROVISIONS, COSTS FOR SUCH WORK ARE RESPONSIBILITY OF LICENSEE. SINCE BASRA PROPERTY UNUSED FOR EIGHT YEARS AND RENOVATION COSTS LIKELY REQUIRE RATHER LARGE INITIAL OUTLAY, DEPARTMENT WILLING CONSIDER SOME OFFSET AGAINST RENT FOR INITIAL COSTS OF THIS NATURE. ANY INFORMATION AVAILABLE ON ESTIMATED COST FOR WORK NEEDED TO MAKE BASRA COMPOUND PROPERTY SUITABLE FOR OCCUPANCY SHOULD BE SUBMITTED TO A/FBO, TOGETHER WITH RENTAL COST DATA NOTED UNDER B. ABOVE.

D. LENGTH OF CONTRACT PERIOD: SHOULD BE IAW PARA 4 OF MODEL LICENSE AGREEMENT SUBJECT TO TERMINATION PROVISIONS OF PARA 2 AS MODIFIED. IN VIEW OF POSSIBLE LARGE COST FOR INITIAL M AND R, CARD MAY INSIST ON LEASE, RATHER THAN LICENSE, TO ENSURE A FIXED TERM LONG ENOUGH TO RECOVER INITIAL REPAIR COSTS. IN SUCH CASE, USINT AUTHORIZED TO DISCUSS LEASE FOR PROPERTY INSTEAD OF LICENSE.

E. LOCAL AUTHORITY REQUIREMENTS: GOI AUTHORITY NOT REQUIRED FOR LICENSING BUT CONCUR REFTEL RECOMMENDATION THAT LOCAL AUTHORITIES BE INFORMED, SINCE LOCAL REGULATIONS MAY REQUIRE LICENSE AGREEMENT TO BE MATTER OF RECORD WHEN EFFECTIVE.

3. FBO UNABLE SEND REPRESENTATIVE TO IRAQ, SO POST PERSONNEL SHOULD PROCEED WITH PRELIMINARY CONTRACT NEGOTIATIONS. IF FUTURE DEVELOPMENTS REQUIRE CONSULTATION OR SERVICES OF ATTORNEY OR RENTAL AGENT IN PREPARING CONTRACT TERMS ACCORDANCE 6 FAM 776, A/FBO SHOULD BE NOTIFIED SOONEST OF ESTIMATED COST OR FEES FOR SUCH SERVICES WITH REQUEST FOR APPROVAL AND ALLOTMENT OF NECESSARY FUNDS. ANY OTHER PROPOSED CHANGES IN UNCLASSIFIED

REQUIREMENTS OR DEVIATIONS FROM MODEL LICENSE AGREEMENT IN ADDITION TO ITEMS PREVIOUSLY NOTED ALSO SHOULD BE SUBMITTED TO A/FBO WITH JUSTIFICATION FOR PRIOR CONSIDERATION AND APPROVAL.

4. KEEP DEPARTMENT ADVISED STATUS OF NEGOTIATIONS. KISSINGER

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<< END OF DOCUMENT >>

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